

In this action for declaratory relief, abuse of process, unfair competition, and breach of contract, Plaintiff E. & J. Gallo Winery (“Gallo”) has moved for contempt and attorney fees against defendant Andina Licores S.A., Document # 186, (the “Andina contempt motion”), and for contempt sanctions against six individuals, Document # 196 (the “Individual Contempt motion”). Hearing on both motions is scheduled for Monday, February 12, 2007. On January 29, 2007, Mr. Roger Coleman, attorney for three of the six individuals named in the Individual Contempt motion filed an *ex-parte* application for extension of time to file opposition and for continuation of the hearing on the Individual Contempt motion until April 2, 2007. Document # 203. Gallo has filed a response to the *ex-parte* motion to extend time in which Gallo does not oppose the request so long as the extension of time applies only to those individuals that are represented by Mr. Coleman. Those individuals are Andres Naranjo (“Naranjo”), Gonzalo Noboa Baquerizo (“Noboa Jr.”), and Ivan Cevallos

1 (“Cevallos”). Gallo opposes any extension of time as to the individuals who are not
2 represented by Mr. Coleman. Those individuals are Gonzalo Noboa Elizalde (“Noboa Sr.”),
3 Olga Baldeon Martinez (“Baldeon”), and Luis Parrales Cordova (“Parrales”).

4 The court will grant Mr. Coleman’s *ex-parte* request for extension of time until April
5 2, 2007. However, given the court’s crowded docket and the consequent need for the court to
6 manage its limited resources efficiently, the court finds its needs are best served if all the
7 motions for contempt are heard at the same time. The court will take under submission all
8 motions for contempt as of the currently scheduled hearing date of February 12, 2007, *except*
9 that the motion for contempt by Gallo against individual defendants Naranjo, Noboa Jr., and
10 Cevallos will remain open pursuant to the request for extension of time. Any opposition to
11 either of Gallo’s motions for contempt by any *other* party that has not been filed and served
12 as of February 5, 2007, will be considered late-filed.

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14 THEREFORE, it is HEREBY ORDERED that:

- 15 1. In light of Gallo’s statement of non-opposition and good cause appearing, the *ex-parte*
16 request to extend time as to individual defendants Naranjo, Noboa Jr., and Cevallos is
17 by GRANTED.
- 18 2. The currently scheduled hearing date of February 12, 2007, is hereby VACATED, no
19 party shall appear at that time.
- 20 3. Gallo’s Andina contempt motion will be deemed submitted as of February 12, 2007.
21 Gallo’s Individual Contempt motion will be considered submitted as of February 12,
22 2007, only as to individual defendants Noboa Sr., Baldeon, and Parrales.
- 23 4. Individual defendants Naranjo, Noboa Jr., and Cevallos may file and serve their
24 opposition to Gallo’s Individual Contempt motion not later than Friday, March 16,
25 2007.
- 26 5. Hearing on the Individual Contempt motion and the Andina Contempt motion will be
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held on Monday, April 2, 2007 at 1:30 p.m. in courtroom 2.

IT IS SO ORDERED.

Dated: February 8, 2007
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/s/ Anthony W. Ishii
UNITED STATES DISTRICT JUDGE